M

Passed

Home (195) Department.

RT SERIES

G.O. No. 2433

Dated 13--7--1953

FOR MYSORE STATE

[Despatch Abstract.]

Arms Act and Rules - South Kanara District Sri K. Abdul Khader - Licence to deal in revolvers. pistols. rifles etc. - petition - Rejected.

- MAY 1953

To

The Secretary to the Government of Madras,
Home Department,
Fort St.George, Madras-9.

Appeal petition of Janab Abdul Khader, Arms and Ammunition Dealer, Kadaba, residing opposite to S.K.C.C.D.Depot, Puttur Post, Puttur Taluk, South Kanara District.

95021 Police V

5.5.53

Sir,

On the 18th September 1952, I had submitted a petition to the Board of Revenue for granting me a licence in form XII of Indian Arms Act for dealing and depositing in Revolvers, Rifles and Pistols. The said application was forwarded to the District Magistrate and necessary enquiry was conducted both by the both by the Revenue and Police authorities. I presume that they have satisfied themselves regarding the necessity of such a licence. To my greatest misfortune, I have now received an order from the District Magistrate, South Kanara informing me that my application for a licence to deal in revolver, pistols, etc. has been rejected by the Board of Revenue in their order B.P.Rt.No.2700 dated the 6th April 1953, and this order has been communicated to me in District Magistrate's M.L.Dis.7428/52 dated 11-4-1953 copy enclosed. No reason for the rejection of my petition has been furnished to me. I am at a loss to understand why my petition has been rejected, when there is every necessity for such a licence. I am not asking for a new licence. I am an old dealer in Arms and Ammunition and now, I am asking for a licence to deal in some more weapons and ammunitions to meet the local demands.

p.t.o.

2. In this connection, I beg to submit to the Government that the maximum part of Malnad area lies in Puttur taluk and there are a good number of licensees who are authorised to possess revolvers and rifles, as a protection against wild animals, especially wild bears, Bison and elephants. and tigers. There is only one person licenced in this district who is having his shop at Mangalore, which is more than 50 miles away from Kadaba, Subramanya, Vijra, Sullia, Sampaje, Belthangady,etc. village towns on the Malanad borders of the taluk. Even he does not stock the necessary arms and ammunition now,

3. Thus, people residing far away from Mangalore and the places mentioned above are severelly handicapped now. If a licence is granted to me, I will be in a position to meet the demand not only from the licensees of puthur taluk but also from the neighbouring taluks viz. Karkal, Kasargod and even the boardering area of Mysore and Coorg states. At present, people from these areas have to go to Mangalore to get their requirements.

4. The facts mentioned above will prove that there is a necessity of a licensee dealing in revolvers, rifles, pistols and the ammunition of these weapons. Being a dealer in arms and ammunitions at Kadaba, my contact with the licensees in the area prompted me to open a shop at Puttur to meet the necessities

of the licensees and I have already rented a place and submitted the sketch etc. to the District Magistrate. As such, I request that the Government may be pleased to call for the records of the enquiry from the District Magistrate and the Board of Revenue and after perusing the report of the various officers, may be pleased to grant me the licence to deal in the arms and the required quantity of their ammunition as prayed for in my petition sent to the Board of Revenue (copy enclosed for reference).

For which act of kindness, I shall remain ever grateful to you.

Yours faithfully,

5/5/1953.

Camp:Madras,

Dated: 5th May 1953.

Enc; 2

Endt.No.95034/PolV/53-1 Home Dept Dated 9.5.53

Referred to the Bd. of Revenue, Madras, for remarks to be submitted not later than 2-6-1953 together with the connected records

9.5.53

The Bd. of Revenue Madras (with copy of ppss 1-7 cf)

R.D. 3-6-53.

4

M.L.Dis.7428/52.
Proceedings of the Addl.Dt.Magistrate of S.Kanara dated 11.4.53.
Sri M. Kariappa B.A.,

ARMS ACT AND RULES - South Kanara District - Puttur Taluk - Licence to deal in revolver etc petition of - Janab Abdul Kader of Kadaba petition - orders passed

Read: Board's proceedings Rt.2700 dated 6.4.53.

The petitioner Janab Abdul Khader Arms and Ammunition Dealer Kadaba is informed that his petition for licence to deal in revolver pistols etc is rejected by the Board of Revenue Madras.

/By Order/ 30/4

Magisterial Head Clerk.

To

The petitioner. 29.4.53.
Copy to theDt.Superintendent of Police South Kanara.

7

To

The Secretary to the Board of Revenue,
Madras.

Petition of K.Abdulkhader, Arms and Amunition Dealer,
Kadaba, residing opposite S.K.C.C.W.Depot,Puttur, Post Puttur,
S.Kanara.

Sir,

I humbly represent the following few lines for favour of kind consideration and favourable orders.

I am a licensee dealing with the business of Arms and Ammunition at Kadaba since the last three years I have been granted licences in form IX, X, XIII and X to deal with the above business. But the whole of South Kanara District is not dealing with the business of Revolvers and pistols and Rifiles,etc. with the exception of a only one at Mangalore who was granted a licence to deal with very recently.

Among the six taluks in this district, Puttur taluk is the biggest one and the extensive area is so vast that it stands one of the biggest taluk in the state. The natural features of the taluk is another strong reason why the people of this taluk are fond of possessing of fire arms. Many of the people have got licences for rifles and revolvers and those who want to purchase any more have to run a long distance to the Mangalore Town where there is only one shop supplying the needs of them in the matter which I feel many of the people are not able to have their choice as the varieties of weapons available for them lease selection have been very little in number. Many of the customers of mine are also pressing me for the opening of a shop for Rifles and Revolvers,etc. as they too may prefer to exchange their weapons for Rifles,etc. It has been the practice of the people of this area always trying to get a free existence from the cruel wild animals and hence they try to secure licences for the same by one way or the other.

I have been therefore engaging a suitable building since the last six months with a view of opening a shop for pistals and Rifles and revolvers,etc. and was thinking of securing a licence.

18

-2-

The opening of a shop at Puttur will not only serve the entire Puttur taluk but also 1/3 part of Kasargod Mangalore and 1/2 of Karkal taluks from the parts adjoining to Puttur taluk. With regard to my experience in this business and the possibilities, I may be permitted to submit that I ammvery much in contact with all the arms and ammunitions dealers in all parts of India such as Poona, Bombay, Delhi, Monghyur,etc. All the dealers in this district generally have their side business in addition to the arms and ammunition whereas myself is dealing any other except this business only and I can invest any large amount in the matter.

At the end I may be permitted to submit that since my brother one Ismail who has already secured tactness and knowledge of the business in Arms and Ammunition I can extensively entrust the responsibility upon him when I will be granted a licence ~~xx~~ at Puthur. He has been trained by me in the business very carefully

In view of all the above, I most humbly and respectfully beg to request that my above request may kindly be considered and I may be granted a licence for dealing with the purchase and sale of the following:-

S.B.B.L.Rifles	.. 15
D.B.B.L.Rifles.	.. 5
Revolvers	.. 15
Pistolas	10
Rifle cartridges	2000
Pistols and revolver cartridges	.. 1000

A1

Deposit licence for the following

S.B.B.L.Rifle.	5
D.B.B.L. -do-	5
Revolver	5
Pistols.	5

I humbly pray that this may be enquired into and early orders passed at an early date and oblige.

Yours faithfully,

Cam:Puthur, S.Kanara,

Dated: 18th Sept.1952.

(TRUE COPY)

H/ Wardlaw

C2

C9

Revenue Department.
Subject:

C.No.128854 / 19/6/53

ARMS ACT AND RULES - South Kanara District - Licence to deal in Revolvers, Pistols and Rifles - Petition from Sri K. Abdul Kadir - rejected - appeal to Government - Board's remarks Submitted.

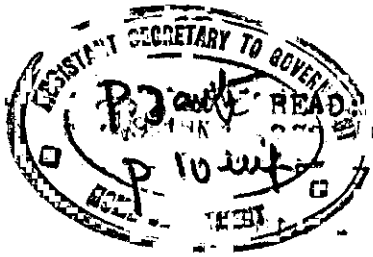
Station: Madras. Ref: L/6330/53-2. Dated: 13-6-1953.

From

Sri V.N. Kudva, I.C.S., Commissioner of Commercial Taxes.

Sri A.R. Rajaratnam, I.A.S., Joint Secretary, Board of Revenue.

.....



READ: Government Endorsement No. 95034 Pol.V/53-1 Home dated 9-5-1953.
South Kanara Collector's Ref: C2/4536/53 dated 29-5-1953.

.....

REFERENCE:

Submitted to Government.

2. The Board submits that the petition to Government does

p.t.o.

Ref 15/6/53

Pbsat (2) (F)

not contain any fresh grounds for reconsideration of its decision. The connected file of its office and the Collector's office file are are enclosed.

For Joint Secretary.

The Secretary To Government,
Home Department, Fort St. George, Madras,
(with Collector's office record 7428/52
and B.P.Rt. 2740 dated 7-4-1953).

(F) (2)

kgs/13.6

Copy of the letter No. C2/4526/53 dated 29-5-1953 from the Collector of South Kanara to the Secretary to the Board of Revenue, Chepauk, Madras.

....

Sub: ARMS ACT AND RULES - South Kanara District - Puttur Taluk - License to deal in revolvers, pistols and rifles petition of Srf K. Abdul Kader - Rejected - Appeal to Government - Remarks.

Ref: Board's No. L/6330/53-1 dated 18-5-1953.

.....

(F) I enclose the records of M.L.Dis.7428/52 pages 4 plus 20 = 24 only. I have no remarks to add to my predecessor's report Ref: C2/7428/52 dated 14-3-1953.

/True Copy/

For Joint Secretary.

kgs/13.6

Dsk 15/6/53

(C.No.95034/Pub.V/53) Issued 11/7/53.

G.O.R.No. 2433 Home Dept.
Dated 13-7-53

Arms Act and Rules —
South Kanara district —
Sri. K. Abdul ~~Kader~~ Khader — Licence
to deal in revolvers, pistols,
rifles etc — ~~Refused~~ —
Petition — Rejected

Read the following: —

P.P.01-3cf Petition dated 5-5-1953
from Sri K. Abdul Khader
~~Kadaru, Arms and ammunition~~
~~dealer, Kadaba, South Kanara~~

P.9 cf From the Board of Rev.,
Madras No. L-8330/53.2,
dated 13-6-1953

Order: —

The petition of Sri K. Abdul ~~Kader~~ Khader is

~~informed that Government decline to interpose in the matter His petition is rejected~~

2. The records received from the Board of Revenue, Madras, are returned herewith

10/7/53

11/7/53

11.7.53

P. 5 n/f

P ps at (2) & (F) and (we)

17.7.53.

Sri K. Abdul Khader, Arms and ammunition dealer, Kadaba, South Kanara dist (Para 1 only)

The Bd. of Revenue, Madras (with pps at (2) & (F))

copy for S.F.

To

The Home Minister,
Government of Madras,
Madras. 9.

K. Abdulkhader, Arms and Ammunition dealer, Kadaba, South Kanara.) Petitioner.

2- The petitioner respectfully begs to submit :

1. That his prayer for the grant of a dealer's licence to sell revolvers, pistols, rifles etc., made in his petition dated 5.5.'53 was rejected by the Government in G.O. Rt 2433 Home dept. dated 13.7.53.

2. That the petitioner feels that the order rejecting his petitin was summarily passed without considering the case on merits and without regard to the circumstances now obtaining. No reasons have also been given as to why appeal was rejected.

3. That he is an established dealer, with good reputation, in a place where such a dealer's licence is necessary for the public needs. This aspect of the case appears to have been wholly ignored.

4. That the ammunition trade is the main occupation of the petitioner and almost his only means of livelihood, and he is an honest dealer with a desire to expand and improve his trade.

5. That the public have a good regard for the conduct of the petitioner and about his suitability, and he is prepared to obtain testimonials if called for, and also to speak to the necessity of such a licence in the place.

6. That his petition be reviewed and reconsidered from a more liberal and public standpoint and be favourably considered, granting the licence applied for.

Copies of petitions dated 5.5.53 to the

2

Pp 7-8 supra Government and petition dated 18.9.52 to the Board of Revenue, Madras, are enclosed.

Dated 29.7.1953.

Petitioner.

Pp 5-8 supra
p. 3 supra - Encl: Copies of 3 petitions and recommendation letter in original from Sri K. Venugopal Nayak, President, Circle Congress Committee.

~~Copy to the Chief Minister Govt. of Madras,~~

~~Madras.~~

19802

5/

To

The Secretary to the Government of Madras,
Home Department,
Fort St. George, Madras. 9.

Appeal petition of Janab Abdul Khader,
Arms and Ammunition Dealer, Kadaba,
residing opposite to S.K.C.C. P. Depot,
Puttur Post, Puttur Taluk, South Kanara
District.

Sir,

On the 18th September 1952, I had submitted a petition tothe Board of Revenue for granting me a licence in form XII of Indian Arms Act for dealing and depositing in Revolvers, Rifles and Pistols. The said application was forwarded to the District Magistrate and necessary enquiry was conducted both by the Revenue and Police authorities. I presume that they have satisfied themselves regarding the necessity of such a licence. To my greatest misfortune, I have now received an order from the District Magistrate, South Kanara informing me that my application for a licence to deal in revolvers, pistols, etc., has been rejected by the Board of Revenue in their order B.P.Rt. No.2700 dated the 6th April 1953, and this order has been communicated to me in District Magistrate's M.L.Dis.7428/52 dated 11.4.1953 copy enclosed. No reason for the rejection of my petition has been furnished to me. I am at a loss to understand why my petition has been rejected, when there is every necessity for such a licence. I am not asking for a new licence. I am an old dealer in Arms and Ammunition and now, I am asking for a licence to deal in some more weapons and ammunitions to meet the local demands.

2. In this connection, I beg to submit to the Government that the maximum part of Malnad area lies in Puttur taluk and there are a good number of licensees who are authorised to possess revolvers and rifles, as a protection against wild animals, especially wild bears, Bison, and

elephants, and tigers. There is only one person licenced in this district who is having his shop at Mangalore, which is more than 50 miles away from Kodaba, Subramanya, Vijra, Sullia, Sampaje, Belthangady, etc., village towns on the Malnad borders of the taluk. Even he does not stock the necessary arms and ammunition now.

3. — Thus, people residing far away from Mangalore and the places mentioned above are severely handicapped now. If a licence is granted to me, I will be in a position to meet the demand not only from the licensees of Puttur taluk but also from the neighbouring taluks viz. Karkal, Kasargod and even the bordering area of Mysore and Coorg states. At present, people from these areas have to go to Mangalore to get their requirements.

4. The facts mentioned above will prove that there is a necessity of a licensee dealing in revolvers, rifles, pistols, and the ammunition of these weapons. Being a dealer in arms and ammunitions at Kadaba, my contact with the licensees in the area prompted me to open a shop at Puttur to meet the necessities of the licensees and I have already rented a place and submitted the sketch etc., to the District Magistrate. As such, I request that the Government may be pleased to call for the records of the enquiry from the District Magistrate and the Board of Revenue and after perusing the report of the various officers, may be pleased to grant me the licence to deal in the arms and therequired quantity of their ammunition as prayed for in my petition sent to the Board of Revenue (copy enclosed for reference).

For which act of kindness, I shallremain ever grateful to you.

Yours faithfully

Camp : Madras,
Dated 5th May 1953.

To

The Secretary to the Board of Revenue,
Madras.

Petition of K.Abdulkhader, Arms and Ammunition Dealer,-Kadaba, residing opposite S.K.C.C.W. Depot, Puttur, Post Puttur. S.Kanara.

Sir,

I humbly represent the following few lines for favour of kind consideration and favourable orders.

I am a licensee dealing with the business of Arms and Ammunition at Kadaba since the last three years. I have been granted licences in form IX, X, XIII and X to deal with the above business. But the whole of South Kanara District is not dealing with the business of Revolvers and pistols and Rifles, etc., with the exception of a only one at Mangalore who was granted a licence to deal with very recently.

Among the six taluks in this district, Puttur taluk is the biggest one and the extensive area is so vast that it stands one of the biggest taluk in the state. The natural feature of the taluk is another strong reason why the people of this taluk are fond of possessing of fire arms. Many of the people have got licences for rifles and revolvers and those who want to purchase any more have to run a long distance to the Mangalore Town where there is only one shop supplying the needs of them in the matter which I feel many of the people are not able to have their choice as the varieties of weapons available for them lease selection have been very little in number. Many of the customers of mine are also pressing me for the opening of a shop for Rifles and Revolvers etcc as they too may prefer to exchange their weapons for Rifles, etc., It has been the practice of the people of this area always trying to get a free existence from the cruel wild animals and hence they try to secure licences for the same by one way or the other.

I have been therefore engaging a suitable building since the last six months with a view to of opening a shop for

pistols and rifles and ~~xxkxx~~ revolvers etc., and was thinking of securing a licence.- The opening of a shop at Puttur will not only serve the entire Puttur taluk but also 1/3 part of Kasargod Mangalore and 1/3 of Karkal taluks from the parts adjoining to Puttur taluk. With regard to my experience in this business and the possibilities, I may be permitted to submit that I am very much in contact with all the arms and ammunition dealers in allparts of India such as Poona, Bombay, Delhi, Monghyur etc. All the dealers in this district generally have their side business in addition to the arms and ammunition whereas myself is dealing any other except this business only and I can invest any large amount in the matter.

At the end I may be permitted to submit that since my brother one Ismail who has already secured tactness and knowledge of the business in Arms and Ammunition I can extensively entrust the responsibility upon him when I will be granted a licence at Puthur. He has been trained by me in the business very carefully.

In view of all the above, I most humbly and respectfully beg to request that my above request may kindly be considered and I may be granted a licence for dealing with the purchase and sale of the following :-

S.B.B.L.Rifles	..	15
D.B.B.L.Rifles	..	5
Revolvers	..	15
Pistols	..	10
Rifle cartridges	..	3000
Pistols and revolver cartridges	..	1000

Deposit licence for the following :-

S.B.B.L. Rifle	..	5
D.B.B.L. Rifle	..	5
Revolvers	..	5
Pistols	..	5

I humbly pray that this may be enquired into and early orders passed at an early date and oblige.

Youre faithfully,

Camp : Puttur, S.Kanara.

Dated : 18th Sept. 1952.

TRUE COPY.

103/23/9

Issue

9

HOME DEPARTMENT.

Memo.No. 158957-Pol.V/53-2d/17-9-53

ARMS ACT AND RULES - South Kanara district - Sri K. Abdul Khader - Licence to deal in revolvers, pistols, rifles etc. - Petition - Rejected.

Ref:- G.O.R.No. 2433, Home, dated 13-7-1953.

From Sri K. Abdul Khader, petition dated 29-7-1953.

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P 11-12 cf of (K) P.1-2 cf

The petition cited is ~~also~~ rejected.

2. The certificate dated 28-7-1953 of Sri K. Venugopal Naik is returned herewith.

Dfd (wo) dt 29.9.53. P.3-4 cf

7/8/53

7/8/53.

10.8.1953

17 Sept 53

To
Sri K. Abdul Khader,
Arms and Ammunition Dealer,
X, Kadaba, South Kanara Dt.
(with p. 3-4 c.f. in orgnl.)

Copy to the Board of Revenue,
Chepauk, Madras.

(C.No. 95034-Pol.V/53)

HOME DEPARTMENT.

ARMS ACT AND RULES - South Kanara district - K. Abdul Kadir - Licence to deal in revolvers, pistols, rifles etc. - Refused - Petition.

P 1-3 of

Petition dated 5-5-1953 from Sri K. Abdul Khader, Arms Dealer and Ammunition Dealer, Kadaba, South Kanara Dt.

P.3 of
P 9-10 of

(Issued as Endt. No. 95034-Pol.V/53-1 dated 9-5-1953)
From the Board of Revenue, Madras, M.No. L.8330/53-2 dated 13-6-1953.

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P 1-3 of

Sri Abdul Khader, Arms and Ammunition Dealer, Kadaba, South Kanara district has submitted a petition against the orders of the Board of Revenue, Madras, rejecting his application for an additional licence in Form XII of the Indian Arms Rules to deal in revolvers, pistols and rifles. A licence in Form XII is issued to sell or keep for sale breach-loading rifles, parts of B.L. rifles, rifle ammunition or military stores for rifles and under rule 26 (2) of the rules, in this State such a licence can be granted by the Board of Revenue only.

P.7-8 of
P 52-53 of BK. 179 A
-do-

P 12 of BK. 179 A

2 In his petition to Govt., the petitioner has stated that he had submitted a petition to the Board of Revenue for granting him a licence in Form XII of the Arms ~~Act~~ Rules for dealing in and depositing revolvers, pistols and rifles, that it was forwarded to the D.M., that necessary enquiry was conducted both by the Revenue and Police authorities, that he presumes that they have satisfied themselves regarding the necessity of such a licence and that he has been informed by the D.M. that his application for the licence has been rejected ~~for~~ by the Board of Revenue. He has further stated that no reasons for the rejection of his petition has been furnished to him, that he is at a loss to understand why his petition has been rejected when there is every necessity for such a licence, that he is not asking for a new licence, that he is an old dealer in arms and ammunition

P 1 of

P.52-53 of BK.179A

P 1 of

P 1 of

P.T.O.

and that he is asking for a licence to deal in some more weapons and ammunition to meet local demands. He has submitted that the ~~maximum~~ major part of Malnad area lies in Puttur Taluk and there are a good number of licensees who are authorised to possess revolvers and rifles as a protection against wild animals, especially wild bears, lion and elephants and tigers, that there is only one person licensed in the district who is having his shop at Mangalore which is more than 56 miles away from Kadaba and other village towns on the Malnad borders of the Taluk, that even he does not stock the necessary arms and ammunition now, that thus people residing far away from Mangalore and the places mentioned above are severely handicapped now, that if a licence is granted to him he will be in a position to meet the demand not only from the licensees of Puttur taluk but also from the licensees from the neighbouring taluks viz., Karkal, Kasargod and even the bordering area of Mysore and Coorg States and that at present people from these areas have to go to Mangalore to get their requirements. He has further stated that the facts mentioned above will prove that there is necessity for a licence dealing in revolvers, ~~revolvers~~ rifles, pistols, and the ammunition of these weapons, that being a dealer in arms and ammunition at Kadaba his contact with the licensees in the area prompted him to open a shop at Puttur to meet the necessities of the licensees, that he has already rented a place and submitted the sketch etc. to the D.M. and that as such the Govt. may call for the records of the enquiry from the D.M. and the Board of Revenue, and after perusing the reports of the various officers in the arms and the required quantity of their ammunition as prayed for in the petition to the Board of Revenue. The petitioner has submitted copies of his petition to the Board of Revenue and grant him the licence to deal

P 2 of

P 3 of

Pgs 1-5 of Pgsat (F)

P 3 of

P 7-8 of

P 7-8 of

contd.

P5 of

and the proceedings of the A.D.M., South Kanara informing the petitioner that his petition to the Board of Revenue has been rejected by it. In his petition to the Board of Revenue, he stated that he is a licensee holding licences in Forms IX, X and XIII of the Arms Rules and requested that he may be granted a licence in form XII for dealing with the purchase and sale of the following:-

P.7 of

(From p8 of

S.B.B.L. Rifles	... 15
D.B.B.L. Rifles	... 5
Revolvers	... 15
Pistols	... 10
Rifle cartridges	... 2000
Pistol and revolver cartridges	... 1000

Deposit licence for the following:

S.B.B.L. Rifle	... 5
D.B.B.L. Rifle	... 5
Revolver	... 5
Pistol	... 5

P.3 of

The petition to Govt. was referred to the Board of Revenue for remarks and for the submission of the connected records. The Board has reported that the petition to Govt. does not contain any fresh grounds for reconsideration of its decision The Board has submitted the connected file of its office and the Collector's office file.and also a copy of the Collector's report. The Collector has reported that he has no remarks to add to his predecessor's report.

P9-10 of

pdat (2) (F)
P 10 of

According to the records of the Board of Revenue, application of the petitioner for a licence to deal in rifles, revolvers, pistols and their ammunition was transferred to the Collector of South Kanara. The Collector after enquiry resubmitted the petition to the Board for orders as the petitioner requested that he may be granted an additional licence in Form XII of the Indian Arms Act to deal in rifles, revolvers, pistols and their ammunition. The Collector reported to

P.3-5 of
ppsat (2)

P.1 of
ppsat (2)

to the Board of Revenue that the applicant is a dealer in arms and ammunitions and holds licences in forms X and XIII of the Indian Arms Act and Form K of the Indian Explosives Rules, that his shop is situated at Kadaba in Puttur Taluk, that this shop serves the needs of a good number of licensees residing in Malnad area of Puttur taluk, that at present there is only one licensee in Form XII at Mangalore and that the petitioner's shop is about 52 miles away from Mangalore. The Collector also reported that the enquiry held through the Revenue authorities shows that there is necessity for another licensee in view of the fact that there is only one such licence in the whole of South Kanara district, but the D.S.P., South Kanara is of the opinion that one more licence for dealing in revolvers, rifles and pistols is unnecessary to meet the needs of a small district and that the demand for the weapon of the kind does not justify the grant of a licence, The Collector agreed with the D.S.P. that a licence is unnecessary in view of the comparatively few transactions under these weapons. The Board of Revenue agreed with the D.M. and issued orders rejecting the application. It will be seen from the Collector's Office records that the Revenue Inspr. Puttur and the Police authorities reported that there is no need for another shop, but the Tahsildar and the S.D.M. have recommended the grant of licence to the applicant if there is no security objection.

It may be noted in this connection that the number of licences in the Form XII in force during the year 1951 for the entire State is only 15 distributed in the districts of Chittoor, South Kanara, Nilgiris, Tirunelveli Tiruchirapalli, Visakhapatnam and Madras City. Therefore in most of the districts in this State licences in form XII to sell B.L. guns rifles and ammunition for those weapons are not being granted. When there is already one licensee holding a licence in form XII in South Kanara district, it does not seem necessary to grant

P 1 of 4 at (21)

P 48 + 54 of BK-179A P. 1 of pps at (21)

P 7 of pps at (21)

pps 11-12+14 of pps at (F)

P. 12 of (F)

P 1 of 15 statements at (P)

grant another licence in Form XII to meet the needs of a small district like South Kanara.

In the above circumstances, it is for orders whether the petition may be rejected and the petitioner informed that Government decline to interfere.

27/6/53 27/6/53

(28th Sunday)

It is not as if the licensees have to go to the shop frequently to get the weapons and ammunition. The people can go to the headquarters of the dt where a licence holder in Form XII is available once in a way and obtain their requirements. The petn. may be rejected

29.6.1953

11

9?53

Draft order submitted is for approval.

10/7/53 11/7/53

11.7.1953

[Issued as G.O.R.No.2433, dated 13-7-53]

No. 158957-Pol.V/53)

HOME DEPARTMENT.

ARMS ACT AND RULES - South Kanara Dt. - Sri K. Abdul Khader - Licence to deal in revolvers, pistols, rifles etc. - Petition.

From Sri K. Abdul Khader, petition dated 29-7-53.

***

P.1-2cf

P.1cf

Pps11-12cf of (K)

P.1cf

P 19 of BK 179A

Pps 1-3cf of (K)

P 52 of BK 179A

Sri K. Abdul Khader, Arms and Ammunition Dealer, Kadaba, requests that the orders passed in G.O.R.No. 2433, Home, dated 13-7-1953 may be reviewed again and the licence applied for granted. He has stated that no reasons have been given in the above order as to why his petition was rejected.

Under rule 41 of the Indian Arms Rules the authority empowered to grant or renew a licence may in his discretion refuse to grant or renew such licence. The petitioner wanted a licence in form ~~XVI~~ XII of the Indian Arms Rules to sell and keep for sale breach loading rifles, parts of breach-loading rifles, rifle ammunition, etc. The authority who can grant a licence in form XII in this State is the Board of Revenue and the Board has already rejected his application, as the D.S.P., South Kanara was of opinion that one more licensee is unnecessary to meet the demands of a small district and as the demand for rifles does not justify the grant of a licence. The Collector agreed with the D.S.P. that a licence is unnecessary and the Board of Revenue rejected his application. The Govt. of India have already stated that in such cases the reasons should be recorded and not communicated to the applicants. In view of the High Court's judgment in Sri Narasimha Reddy s case the Govt. of India have been asked whether the reasons should be communicated to applicants for licences. India's reply has not been received so far. It does not appear that the reasons should be communicated

Vide Rule 26(2) of Arms Rules - P 12 of BK. 179 A

P 9-10cf of (K)
Vide orders on pps 3-4 of of (K)

Pps not put up

P.T.O.

to the petitioner in this case. For orders.

The petitioner appealed to the Govt. and his petition was rejected in G.O.R.No. 2433, Home, dated 13-7-1953. The present petition does not contain any fresh grounds for reconsideration of the decision. It is for orders whether the present petition may also be rejected and the petitioner informed to that effect. If so, the draft memo. is submitted for approval.

After issue, these papers may be added to the G.O. at (K).

10.8.1953

Legal

Legal (Opinions-C)Dept.

The point raised at X on page 1 ante and XX above has, it is presumed, been already considered in Narasimha Reddi's case and the view of this department also recorded in that file. As the matter has been taken up with the Government of India and as the Government previously rejected a prior appeal of this petitioner, this petition may also be rejected as proposed.

J.S

Home Deptt

Please see the note of Legal deptt overleaf. In the file of Sri Narasimha Reddy referred to in their note, the reply from the Govt of India has since been received and Govt of India have expressed the view that the reasons for ~~rejecting an application~~ refusal to grant or renew a licence under rule 41 of the Indian Arms Rules need not be communicated to the applicant and that the reasons should only be recorded in writing for future scrutiny, if necessary, by the appellate authority. This deptt has already noted at 'X' ~~'X'~~ on Pp 1-2 ante that it does not seem necessary to communicate the reasons to the petitioner in this case. The petition may, therefore, be rejected. Draft memo ~~to~~ below may issue ~~for approval~~ After issue this may be filed with the S.O. at (K)

Jt Secy
17 Sept 53.

Our 15/9/53
15-9-53.

15.9.53

DS(I)

DS
17 Sep 53